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Vesting all the Real and Personal Estates late of *Elizabeth Morgan*, Widow, deceased, in *Elizabeth Mackenzie*, Wife of *George Mackenzie*, Esquire, her Niece, Heir at Law, and only next of Kin, discharged from all Right, Claim, and Interest of the Master and Fellows of *Gonville and Caius College*, in the University of *Cambridge*.

Whereas *Elizabeth Morgan*, late of the Town and County of *Cambridge*, Widow, deceased, was in her Life Time, and at the Time of her Death, seised in Fee Simple of and in divers Freehold Messuages, Lands, Tenements, and Hereditaments, situate, lying, and being in *Sawston*, *Babraham*, *Pampisford*, and *Witleford*, in the County of *Cambridge*, and in *Denton* and *Glaton cum Holme*, and other adjacent Parishes or Places, in the County of *Huntingdon*, and was also seised to her and her Heirs of and in several customary or Copyhold Messuages, Lands, Tenements, and Hereditaments, situate, lying, and being in or near the same Towns or Places, or some of them, at the Will of the Lord, according to the Custom of the several Manors whereof the same are holden by Copy of Court Roll; and the said *Elizabeth Morgan* was possessed of divers Messuages, Lands, and Tenements, held by Lease from the Provost and Fellows of the *King's College*, of our *Blessed Lady*, and *Saint Nicholas* of *Cambridge*, and the Scholars of the same College, for the Remainder of a Term of Twenty Years, situate, lying, and being in *Granchester cum Coton*, and *Barton*, and other Places in the said Town and Coun-

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ty of *Cambridge* respectively; and likewise possessed of, interested in, or intituled unto, divers Goods, Chattels, personal Estate, and Effects:

And whereas the said *Elizabeth Morgan*, being seised and possessed of such real and personal Estate, made and executed her last Will and Testament in Writing, or a Writing purporting to be, or in the Nature of, her last Will, bearing Date the Twenty-seventh Day of *May* One thousand Seven hundred and Thirty-three, and also a Codicil to the same Will, bearing Date the Thirteenth Day of *December* One thousand Seven hundred and Thirty-four, by which Will the said *Elizabeth Morgan* gave and bequeathed, or mentioned to give and bequeath, all her Copyhold and Freehold Lands in *Sawston*, *Babraham*, *Pampisford*, and *Witlesford* aforesaid, in the said County of *Cambridge*, and all other her Lands, Tenements, Messuages, and Hereditaments, with their Appurtenances, as well Copy as Free, in the said County of *Cambridge*, together with her Leasehold Estates in *Granchester cum Coton* and *Barton* aforesaid, and elsewhere, in the said County of *Cambridge* and Town of *Cambridge*, and also all her Freehold and Copyhold Lands, Houses, Barns, and Stables in *Denton*, and *Glatton cum Holme* aforesaid, and other adjacent Parishes, in the said County of *Huntingdon*, unto the Reverend *Bartbolomew Wortley*, therein mentioned to have been formerly a Fellow of *Gonville* and *Caius* College in *Cambridge*, but then of *Bratton Fleming*, in the County of *Devon*, Clerk, for the Term of his natural Life; and then, as therein is mentioned, to be settled on *Gonville* and *Caius* College for ever; subject to such Uses as are therein mentioned: and after giving some Legacies to the Persons therein mentioned, she the said Testatrix gave and bequeathed all the Rest and Residue of her personal Estate unto the said *Bartbolomew Wortley*, whom she appointed sole Executor of her said Will:

And whereas on the Fourth Day of *November* One thousand Seven hundred and Forty-two, a Commission in the Nature of a Writ *De Lunaticis Inquirendo*, issued under the Great Seal of *Great Britain*, against the said *Elizabeth Morgan*, on the Application of the said *George Mackenzie* and *Elizabeth* his Wife, and by an Inquisition taken thereon at *Cambridge*, the Sixth Day of *December* One thousand Seven hundred and Forty-two, the said *Elizabeth Morgan* was found a Lunatick:

And whereas the said *Bartbolomew Wortley* claiming to be a considerable Creditor of the said *Elizabeth Morgan*, it was, by an Order of the High Court of Chancery, made on the Twelfth Day of *June* One thousand Seven hundred and Forty-five, in the Matter of the said Lunacy, referred to Mr. *Edwards*, One of the Masters of the said Court, to take an account of what remained due from the said Lunatick to the said *Bartbolomew Wortley*, for Principal and Interest upon the Bond and Note of the said *Elizabeth Morgan* therein mentioned; and the said Master, by his Report, dated the Twenty-second Day of *March*, One thousand Seven hundred and Forty-five, certified that there was due to the said *Bartbolomew Wortley*, for Principal and Interest thereon, the Sum of Seven hundred and Sixty-four Pounds Seventeen Shillings and Eight-pence:

And

And whereas before the said Commission of Lunacy was superseded, or the said *Elizabeth Morgan* had recovered her Reason, (*videlicet*) in the Month of *May* One thousand Seven hundred and Forty-eight, the said *Elizabeth Morgan* died, leaving *Elizabeth Mackenzie*, the Wife of *George Mackenzie*, Esquire, her Niece, Heir at Law, and only next of Kin :

And whereas upon the Death of the said *Elizabeth Morgan*, sundry Disputes arose between the said *George Mackenzie* and *Elizabeth* his Wife, and the said College, and *Bartolomew Wortley*, touching the Sanity or Insanity of Mind of the said *Elizabeth Morgan*, at the Time of making the said Will, and the Validity or Invalidity thereof, and a Suit was promoted in the Prerogative Court of the Archbishop of *Canterbury* by the said *Bartolomew Wortley*, her Executor, against the said *Elizabeth Mackenzie*, to obtain a Probate thereof but pending such Litigation, (*videlicet*;) in the Year One thousand Seven hundred and Forty-nine, the said *Bartolomew Wortley* died, having first made his last Will and Testament in Writing, bearing Date the Thirtieth Day of *April* One thousand Seven hundred and Forty-two, and appointed the Right Reverend *Thomas*, then Lord Bishop of *Norwich*, and *William Barbor*, Doctor in Physick, his Executors, and having also made a Codicil to his Will, dated the Eleventh Day of *March* One thousand Seven hundred and Forty-eight, and thereby appointed the said Master, and Fellows of the said College, his residuary Legatees, and the said late Lord Bishop of *Norwich*, and *William Barbor*, soon after the Death of the said *Bartolomew Wortley*, proved his said Will and Codicil in the said Prerogative Court of *Canterbury* :

And whereas on the Death of the said *Bartolomew Wortley*, the said Suits were revived by the said *Thomas* Lord Bishop of *Norwich*, and *William Barbor*, against the said *George Mackenzie*, and *Elizabeth*, his Wife, who then were, and now are, in the Possession and Receipt of the Rents and Profits of the real and personal Estates of the said *Elizabeth Morgan* deceased; but no further Proceedings have been had thereupon, or in Respect thereof, nor hath the said Will as yet been proved or established, either in the Ecclesiastical Court, or in the said Court of Chancery :

And whereas by Indenture Tripartite, bearing Date the Thirtieth Day of *July* One thousand Seven hundred and Fifty-two, and made between the said *Thomas*, Lord Bishop of *Norwich* (then Bishop of *Ely*), and the said *William Barbor* of the First Part; *John Smith*, and *Robert Goodrich*, Clerks, Fellows of the said College, of the Second Part, and the Master, and Fellows of the said College, of the Third Part; after reciting therein the Will of the said *Bartolomew Wortley*, and that the said *Thomas* Lord Bishop of *Ely*, and *William Barbor*, had since his Death called in, and received as much of the Debts due to the said *Bartolomew Wortley* as they could, and had paid and accounted for the same, and for all other his Goods and Effects come to their Hands, to the said Master and Fellows of the said College; except the several Debts and Securities in the Schedule thereunto annexed mentioned, which remained then unpaid, and which the said Master, and Fellows of the said College, had requested the said Executors to assign and deliver over to the said *John Smith*, and *Robert Goodrich*,

Goodrich, in Trust for themselves, and the Rest of the said College, and to such Uses, as by the Will of the said *Bartbolomew Wortley* was ordered and directed, and that the said *Thomas* Lord Bishop of *Ely*, and *William Barbor*, being willing to gratify them therein, and to be discharged from the said Executorship, it is witnessed, that the said *Thomas* Lord Bishop of *Ely*, and *William Barbor*, to the Intent and Purpose aforesaid, and by and with the Consent of the said Master and Fellows, testified by their affixing their common Seal of Incorporation thereto, did assign, transfer, and deliver over all those the several Indentures of Mortgage and Assignment, in the Schedule thereunto annexed, particularly mentioned, and all Lands, Tenements and Hereditaments therein comprised, and all Sums of Money due and owing thereon, and thereby secured, and all the Bonds, promissory Notes of Hand, in such Schedule also mentioned, and all Monies thereon due, and thereby secured, and all other Deeds, and Writings, touching the same, and all their, and either of their, Estate, Right, Title, Claim, and Interest of, in, and to the same, unto the said *John Smith*, and *Robert Goodrich*, their Executors, Administrators, and Assigns, upon Trust, for the said Master and Fellows of *Gonville and Caius College*, as by the Will of the said *Bartbolomew Wortley* is particularly mentioned, and upon no other Trust, under, and by Virtue of which last mentioned Assignment, the said Master and Fellows became intitled to the said Sum of Seven hundred Sixty-four Pounds Seventeen Shillings and Eight Pence, so reported, due to the said *Bartbolomew Wortley*, for Principal and Interest, as aforesaid.

And whereas by Articles of Agreement, bearing Date the Second Day of *January* One thousand Seven hundred and Sixty-one, and made between the said Master and Fellows of *Gonville and Caius College* of the one Part, and the said *George Mackenzie* and *Elizabeth* his Wife, of the other Part, after reciting the Will and Codicil of the said *Elizabeth Morgan*, and the Will of the said *Bartbolomew Wortley*, and the Order of the Court of Chancery, and the Master's Report thereupon, stating the Sum of Seven hundred Sixty-four Pounds Seventeen Shillings and Eight Pence to be due to the said *Bartbolomew Wortley* as aforesaid, and that the said Sum of Seven hundred Sixty-four Pounds Seventeen Shillings and Eight Pence, together with Interest for the same, was still due and owing, and that the said Master and Fellows of *Gonville and Caius College* were become intitled thereto, as the residuary Legatees of the said *Bartbolomew Wortley*; and further reciting, among other Things, that in order to put an end to all Suits and Controversies relating to the said Will and Codicil of the said *Elizabeth Morgan*, it had been mutually agreed between the said Parties thereto, that the said *George Mackenzie* and *Elizabeth* his Wife, should, on or before the First Day of *January* One thousand Seven hundred and Sixty-two, pay to the said Master and Fellows for the Time being the Sum of One thousand Five hundred Pounds, and that upon Payment thereof, the Master and Fellows of the said College for the Time then being should release and discharge the said *George Mackenzie* and *Elizabeth* his Wife, and the Estate late of the said *Elizabeth Morgan*, from all their Claims and Demands thereupon; and for carrying the said Agreement into Execution, the said *George Mackenzie*, for himself, his Heirs, Executors, and Administrators, and for the

the said *Elizabeth* his Wife, did covenant and agree to and with the said Master and Fellows, and their Successors, that they the said *George Mackenzie* and *Elizabeth* his Wife, or One of them, or the Heirs, Executors, or Administrators of One of them, would, on or before the said First Day of *January* One thousand Seven hundred and Sixty-two, pay to the said Master and Fellows for the Time being, the said full Sum of One thousand Five hundred Pounds, free from all Deductions; in Consideration whereof the said then Master and Fellows of the said College did, for themselves and their Successors, covenant and agree to and with the said *George Mackenzie*, his Executors, Administrators, and Assigns, that from and immediately after Payment of the said Sum of One thousand Five hundred Pounds, at the Time and in Manner aforesaid, they the said Master and Fellows would cause their common Seal to be affixed to One or more Deed or Deeds, Release or Releases, or other Discharges, whereby they the said Master and Fellows, for themselves and their Successors, should well and sufficiently acquit, release, and discharge, as well the said *George Mackenzie* and *Elizabeth* his Wife, and his, her, and their Heirs, Executors, and Administrators, as also all the Estate, as well Freehold and Copyhold as Leasehold, late of the said *Elizabeth Morgan* deceased, and then of them the said *George Mackenzie* and *Elizabeth* his Wife, of, from, and against all such Claims and Demands as they the said Master and Fellows ever had, by virtue of or under colour of any Will or Wills, Codicil or Codicils to any Will or Wills, at any time made or executed, either by the said *Elizabeth Morgan* or the said *Bartholomew Wortley*, or for or on account of any Sum or Sums of Money due or owing by Bond, Note, or otherwise, from the said *Elizabeth Morgan* to the said *Bartholomew Wortley*, or which the said Master and Fellows were then or might be intitled unto, as the residuary Legatees of the said *Bartholomew Wortley* as aforesaid:

And whereas the said *George Mackenzie* and *Elizabeth* his Wife, in Part Performance of the said Articles of Agreement, on their Part, have paid to the said Master and Fellows of the said *Gonville and Caius College* the Sum of One thousand Pounds, towards the Discharge of the said Sum of One thousand Five hundred Pounds, and they are ready and willing to pay to the said Master and Fellows the remaining Sum of Five hundred Pounds, upon having an effectual Release, Conveyance, and Assignment from the said Master and Fellows of the said College, of their Right and Title to all the real and personal Estate late of the said *Elizabeth Morgan*; and the said Master and Fellows, together with the said *John Smith* and *Robert Goodrich*, are willing and desirous, as far as in them lies, to convey, release, and assign such their respective Right and Title in and to the said real and personal Estate, unto the said *Elizabeth Mackenzie*, her Heirs, Executors, Administrators, and Assigns; but by reason of the Laws now in being, which disable all Masters and Fellows of Colleges, and other Bodies Corporate, from disposing or aliening their respective Estates or Possessions, it is apprehended the same cannot be rendered effectual to answer the End thereby proposed, without the Aid and Authority of Parliament:

Wherefore Your MAJESTY's most dutiful and loyal Subjects, the said Master and Fellows of *Gonville and Caius College* aforesaid, and the said *George Mackenzie* and *Elizabeth Mackenzie* his Wife,

Do most humbly beseech Your MAJESTY;

That it may be **Enacted**; And be it **Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that all and every the Manors, Freehold, Copyhold, and customary Messuages, Farms, Lands, Tenements, and Hereditaments whatsoever, late of her the said *Elizabeth Morgan*, or whereof or wherein she the said *Elizabeth Morgan*, or any Person or Persons in Trust for her, had, have, or hath, any Estate of Freehold or Inheritance, in Possession, Reversion, Remainder, or Expectancy, situate, lying, and being, in the several Towns, Parishes, Hamlets, Villages, Fields, Precincts, or Territories of *Sawston*, *Babraham*, *Pampisford*, and *Witlesford*, aforesaid, or elsewhere, in the said County of *Cambridge*, and *Denton*, and *Glaton cum Holme* aforesaid, or in any other or adjacent Parishes or Places in the said County of *Huntingdon*, or elsewhere in the said Counties of *Cambridge* and *Huntingdon*, or either of them, or in any other Part of *Great Britain* called *England*, with their and every of their respective Rights, Members, and Appurtenances, and also all and every the Messuages, Lands, Tenements, and Hereditaments, late of her the said *Elizabeth Morgan*, or whereof or wherein she the said *Elizabeth Morgan*, or any Person or Persons in Trust for her, was or were possessed of, interested in, or intitled to, by Virtue of any Lease or Leases, for Years or otherwise, situate, lying, and being, in the Towns, Villages, or Parishes of *Granchester cum Coton* aforesaid, or elsewhere in the said County of *Cambridge*, with their Rights, Members, and Appurtenances, and also all and every the Goods, Chattels, personal Estate and Effects whatsoever, and of what Nature or Kind soever, late of or in any Manner belonging to the said *Elizabeth Morgan* at the Time of her Death, shall, from and after the

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and Payment by the said *George Mackenzie* and *Elizabeth* his Wife, or One of them, their or One of their Heirs, Executors, or Administrators, unto the said Master and Fellows of *Gonville and Caius* College, or their Treasurer for the Time being, of the Sum of Five hundred Pounds of lawful Money of *Great Britain*, being the Remainder of the Sum of one thousand Five hundred Pounds, agreed to be paid to them as herein before is mentioned, be settled upon and vested in, and the same are hereby from thenceforth vested in the said *Elizabeth Mackenzie*, her Heirs, Executors, Administrators, and Assigns, respectively, to the Uses and in Manner herein after mentioned; that is to say, As to the Manors, and Freehold Messuages, Farms, Lands, Tenements, Hereditaments, and Premises, with their and every of their Rights, Royalties, Members, and Appurtenances, to the Use and Behoof of the said *Elizabeth Mackenzie*, her Heirs and Assigns for ever; and as to the Copyhold and Customary Messuages, Lands, Tenements, and Hereditaments, with their Appurtenances, to the Use of the said *Elizabeth Mackenzie* and her Heirs, at the Will of the Lord or Lords, and according to the Custom or Customs of the Manor or Manors, of which the same Copyhold or Customary Messuages, Lands, and Hereditaments, are respectively held; and as to all the Messuages, Lands, Tenements, and Premises, with their Appurtenances, which are held by or under any Lease or Leases made or granted thereof, or any Part thereof; and as to all other

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the Personal Estate and Effects, late of the said *Elizabeth Morgan* deceased, the same shall be vested in and upon the same *Elizabeth Mackenzie*, her Executors, Administrators, and Assigns, for such Estates, Terms of Years, and Interest therein, as the said *Elizabeth Morgan* had therein or thereto at the time of her decease, to and for the sole Use and Benefit of her the said *Elizabeth Mackenzie*, her Executors, Administrators, and Assigns absolutely.

And it is hereby further Enacted, by the Authority aforesaid, That the said *Elizabeth Mackenzie*, her Heirs, Executors, and Administrators respectively, shall and may have, hold, and enjoy, and be seised and possessed of all and every the Manors, Messuages, Lands, Hereditaments, and real and personal Estate, so vested by this Act as aforesaid, freed and absolutely acquitted, discharged, exempted, and exonerated, of, from, and against all and every the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand whatsoever, either at Law or in Equity, of the said Master and Fellows of *Gonville and Caius College* for the Time being, or any of them, or their or any of their Successors, or which they or any of them, or any Person or Persons in Trust for them or any of them, or for their Use, now have or hath, or can any way claim, demand, or be intitled to, of, in, to, or out of the real and personal Estate late of the said *Elizabeth Morgan*, vested by this Act as aforesaid, by virtue of or under any Will or Wills, Codicil or Codicils, or any Writing or Writings, Instrument or Instruments whatsoever, purporting to be, or in the Nature of, any Will or Wills, Codicil or Codicils, which at any time or times heretofore was or were made, executed, or signed, either by the said *Elizabeth Morgan* or the said *Bartholomew Wortley*, or by any Person or Persons by their or either of their Order or Direction, or otherwise howsoever, or for or in respect of the said Sum of Seven hundred and Sixty four Pounds Seventeen Shillings and Eight Pence, so reported due from the said *Elizabeth Morgan* to the said *Bartholomew Wortley* as aforesaid, or any Interest accrued due for the same, or as the residuary Legatees of the said *Bartholomew Wortley*, or otherwise howsoever.

Saving always to the KING's Most Excellent MAJESTY, his Heirs and Successors, and to all Lords of Manors, whereof the Copyhold or customary Messuages, Lands, and Tenements, mentioned and intended to be vested by this Act, or any of them, are respectively held, and to all and every Person and Persons, Bodies Politick or Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said Master and Fellows of *Gonville and Caius College* aforesaid for the Time being, and their Successors, and all and every other Person and Persons having or claiming any Estate, Right, Title, or Interest, of, in, to, or out of, the real and personal Estate of the said *Elizabeth Morgan* under them, by virtue of the respective Wills and Codicils of the said *Elizabeth Morgan* and *Bartholomew Wortley*, or either of them, or otherwise howsoever) All such Estates, Rights, Titles, Interests, Claims, and Demands whatsoever, of, in, to, and out of, the said Freehold, Copyhold, Leasehold Manors, Messuages, Lands, Tenements, Hereditaments, and Premises, and personal Estate and Effects late of or belonging to the said *Elizabeth Morgan*, vested, or mentioned or intended to be vested, in the said *Elizabeth Mackenzie*, her Heirs, Executors, Administrators and Assigns, by this Act as aforesaid, or any Part or Parts thereof, as they, every or any of them had before the passing of this Act, or could or might have had, held, or enjoyed in case this Act had not been made.

An ACT for vesting all the Real and
Personal Estates late of *Elizabeth
Morgan*, Widow, deceased, in
Elizabeth Mackenzie, Wife of
George Mackenzie, Esquire, her
Niece, Heir at Law, and only
next of Kin, discharged from all
Right, Claim, and Interest of the
Master and Fellows of *Gerrville*
and *Catus College*, in the University
of *Cambridge*.

[1762.]